

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Long Term Debt Financing practices of Lake Alpine Water Company (U148WTD); and Order to Show Cause Why the Commission Should not Impose Penalties and/or Other Remedies for Violations of Public Utilities Code Sections 818, 823(b) and 823(d).

Investigation 17-09-021

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to October 1, 2019.

1. Background

Public Utilities Code Section 1701.2(i) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the California Public Utilities Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory, and the deadline for resolving this proceeding was September 29, 2018. The Commission has previously extended the statutory deadline of this proceeding. The most recent Decision (D.) 19-02-027 extended the statutory deadline to June 1, 2019. By this decision, we extend the statutory deadline until October 1, 2019.

On September 29, 2017, the Commission instituted this investigation to determine whether the named respondent, Lake Alpine Water Company (Lake Alpine), violated any provisions of the California Public Utilities Code, Commission General Orders, Decisions, or Rules of Practice and Procedure, or other applicable laws or requirements pertaining to its long-term debt financing practices.

A Prehearing Conference (PHC) was held on November 15, 2017. During the PHC, parties explained they had initiated settlement discussions, and anticipated filing a motion for Commission consideration of adoption of settlement shortly after the PHC.¹ On November 17, 2017, the parties filed a Joint Motion for Approval of Settlement Agreement. On February 7, 2018, the joint motion was formally accepted by the Commission's Docket Office.

Extending the statutory deadline in Investigation (I.) 17-09-021 to October 1, 2019 ensures there is ample time to process a presiding officer's decision, place this matter on a Commission meeting agenda, and for final disposition by the Commission prior to the expiration of the extended deadline. The presiding officer's decision in this matter is complete and is currently waiting for placement on an agenda and final disposition by the Commission. Therefore, we do not anticipate requiring until October 1, 2019 for final disposition of this proceeding, but set this date to avoid any further potential extensions of time.

¹ PHC Transcript at 7 to 10.

2. Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment on proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

3. Assignment of Proceeding

Genevieve Shiroma is the assigned Commissioner, and Regina DeAngelis and Sasha Goldberg are the assigned Administrative Law Judges in this proceeding.

Findings of Fact

1. The current deadline for resolving this investigation is June 1, 2019.
2. On November 15, 2017, a PHC was held in the instant proceeding.
3. On November 17, 2017, parties filed a joint motion for Commission consideration of a settlement on the issues raised in I.17-09-021.
4. On February 7, 2018, the joint motion for Commission consideration of a settlement was formally accepted by the Commission's Docket Office.

Conclusions of Law

1. Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.2(i), the statutory deadline for resolving this proceeding should be extended until October 1, 2019.
2. This Order should be effective immediately.

IT IS ORDERED that the time for completion of this proceeding is extended until October 1, 2019.

This Order is effective today.

Dated _____, at Oxnard, California.